

must not seek or accept from anyone who has business with the NSF any gift, tip, loan, entertainment, or favor for yourself or anyone else, particularly anyone with whom you have family, business, or financial ties. This does not include promotional items of trivial value or a modest meal offered as a courtesy when there is no apparent connection with NSF business.

(d) *Misuse of Government property.* You must not use Government property or services for your private benefit or for the private benefit of others, except as your public duties benefit particular members of the public in intended ways.

(e) *Familiarity with statutory provisions.* You are legally responsible for acquainting yourself with each statute that relates to your ethical and other conduct as an NSF and Federal employee. Principal among these are the criminal statutes relating to bribery, graft, and conflicts of interests contained in 18 U.S.C. 201 through 209. The aspects of those statutory provisions that apply to you as an NSF “special employee” are covered by these regulations. These regulations also cover the provisions of Executive Order 11222, which prescribes standards of ethical conduct for Government officers and employees, and regulations of the Office of Personnel and Management that implement both the statutory provisions and the Executive Order. If you follow the regulations, you should have no trouble with any of those provisions. The regulations do not cover a number of other statutes that you must obey as a Federal employee:

(1) The prohibition against lobbying with appropriated funds (18 U.S.C. 1913).

(2) The prohibitions against disloyalty and striking (5 U.S.C. 7311, 18 U.S.C. 1918).

(3) The prohibitions against disclosure of classified information (18 U.S.C. 798, 50 U.S.C. 783) and disclosure of confidential information (18 U.S.C. 1905).

(4) The provision on habitual use of intoxicants to excess (5 U.S.C. 7352).

(5) The prohibition against misuse of a Government vehicle (31 U.S.C. 638a(c)).

(6) The prohibition against misuse of the franking privilege (18 U.S.C. 1719).

(7) The prohibition against use of deceit in an examination or personnel action in connection with Government employment (18 U.S.C. 1917).

(8) The prohibition against fraud or false statements in a Government matter (18 U.S.C. 1001).

(9) The prohibition against mutilating or destroying a public record (18 U.S.C. 2071).

(10) The prohibition against counterfeiting and forging transportation requests (18 U.S.C. 508).

(11) The prohibitions against embezzlement of Government money or property (18 U.S.C. 641), failing to account for public money (18 U.S.C. 643), and embezzlement of the money or property of an employee by reason of his employment (18 U.S.C. 654).

(12) The prohibition against unauthorized use of documents relating to claims from or by the Government (18 U.S.C. 285).

(13) The prohibition against an employee acting as the agent of a foreign principal registered under the Foreign Agents Registration Act (18 U.S.C. 219).

Subpart B—Special Rules of the National Science Board for Board Members

§ 684.20 Summary.

As a member of the National Science Board you are covered by rules for “special employees” described in subpart A of this part 684. In addition, Board deliberations raise a number of conflicts issues in a unique context. Moreover, Board members are highly visible Presidential appointees who retain private employment and other affiliations. Specifically, many of them are active scientists whose work has been supported by the NSF or other Federal agencies. For these reasons the Board has adopted the following specific conflict-of-interests rules for the governance of its members. You should also advise the Chairman of the Board of any interest or affiliation you have or propose to have that could create a significant appearance of conflict of interests in the work of the Board.

§ 684.21 Participation in Board deliberations.

(a) *Abstention.* You must excuse yourself from deliberations and votes of the Board or any of its committees on any action that would to your knowledge affect:

(1) The interests of an institution with which you, your spouse, a minor child, a blood relative who lives with you, or anyone who is legally your partner has any of the affiliations listed in paragraph (b) of this section, or

(2) The interests of an individual with whom you, your spouse, a minor child, a blood relative who lives with you, or anyone who is legally your partner has any of the relationships listed in paragraph (c) of this action.

(b) *Affiliations with affected institutions.* (1) Ownership of the institution's stocks, bonds, notes, or other evidences of debt (other than through mutual funds).

NOTE: Minor or indirect holdings may be exempted; check with the Chairman.

(2) Current employment.

(3) Any formal or informal arrangement for future employment.

(4) Current appointment as professor, adjunct professor, visiting professor, or the like.

(5) Governing board membership.

(6) Chairmanship of any committee of the institution that has an interest in the Board's action.

(7) Any other office (not including ordinary membership in a professional society or association).

(8) Current membership on a visiting committee or similar body.

NOTE: Individual waivers of this provision may be issued in appropriate circumstances; contact the Chairman.

(9) Current enrollment as a student in a department or school that has an interest in the Board's action.

(10) Any other affiliation with the institution that you think would destroy your objectivity or be seen as doing so by a reasonable person familiar with the affiliation.

(c) *Relationships with affected individuals.* (1) Blood or marriage relationship with a principal investigator.

(2) Any other relationship, such as close personal friendship, that you think might tend to destroy your ob-

jectivity or be seen as doing so by a reasonable person familiar with the relationship.

§ 684.22 Negotiations with NSF staff.

During your term on the National Science Board you must not represent yourself or any other private party in negotiations or other dealings with an NSF official on any proposal, project, or other matter.

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§ 684.23 Participation in proposals and projects.

(a) *General; substitute negotiator.* You may prepare a proposal for submission to the NSF and may be principal investigator on the proposal and on any subsequent award. The proposal should also name a substitute negotiator to represent the project and the institution in dealings with NSF officials from which you would be restricted as a member of the Board. If you were principal investigator under an existing award before your appointment to the Board, your institution will be asked to name a substitute negotiator for the same purpose before the appointment becomes official.

(b) *Scientific and technical information.* You may respond to requests from a program officer or another NSF official for scientific and technical information relating to an award or proposal, such as might be needed to respond to reviewer comments. You must not, however, couple the information you supply with any attempt to influence action on the proposal other than what inheres in the provision of the information itself. (If possible, have someone else respond.)

(c) *Compensation; reimbursement of expenses.* No NSF award made while you are a member of the Board may be charged for any compensation paid to you. An award may be charged, however, for actual expenses you incur in doing work supported by the award. If you are already an investigator or consultant under an NSF award when you became a Board member, the award may be charged for compensation to you to the extent established before your nomination.

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